



W.P.No.31522 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 10.03.2025

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.31522 of 2019

V.Rajendran

.. Petitioner

Vs.

1.The Inspector General of Registration,
No.100, Santhome High Road,
Chennai – 600 004.

2.The District Registrar (South),
Guindy, Chennai – 600 032.

3.The Sub Registrar,
Velacherry,
Chennai – 600 042.

4.S.Muthumanickam

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents herein to consider and pass orders on the petitioner's representation dated 03.09.1998 Doc.Nos.2262, 2294 and 2265/1998 at SRO Velachery and the same may be entered in the encumbrance certificate by conducting enquiry.



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For Petitioner : Ms.V.Poornimadevi
For RR 1 to 3 : Mr.P.Harish
Government Advocate
For R4 : No appearance

ORDER

This writ petition has been filed for a direction to the respondents to deal with the representation made by the petitioner on 09.10.2019, wherein the petitioner is seeking for the cancellation of the sale deed executed in favour of the 4th respondent registered as Document No.2262, 2294 and 2265 of 1998.

2.Heard the learned counsel for the petitioner and the learned Government Advocate for respondents 1 to 3.

3.The power of the Registering Authority to cancel the registered document was available under Section 77A of the Registration Act. This provision has been held to be unconstitutional by the Division Bench of this Court in *M.Kathirvel Vs. Inspector General of Registration* reported in *[(2024) 4 CTC 769]*. In view of the above judgment, there is



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no power available to the respondents to cancel any registered document.

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If at all the petitioner is aggrieved, the petitioner has to workout the remedy available only before the competent Civil Court. Except giving this clarity, no further orders can be passed in the Writ Petition.

4.In the result, this Writ Petition is disposed of with the above terms. No costs.

10.03.2025

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Index : Yes / No
Internet : Yes / No
Neutral Citation : Yes / No

To

- 1.The Inspector General of Registration,
No.100, Santhome High Road,
Chennai – 600 004.
- 2.The District Registrar (South),
Guindy, Chennai – 600 032.
- 3.The Sub Registrar,
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N.ANAND VENKATESH, J.

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